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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Note by the Secretary-General

The Secretary-General has the honour to transmit herewith the twenty-ninth report of the International Labour Organization under article 18 of the International Covenant on Economic, Social and Cultural Rights, submitted in accordance with Economic and Social Council resolution 1988 (LX).*

[4 March 2002]

* Reproduced as received.

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Introduction

1. The present report has been established according to the arrangements approved by the Governing Body of the International Labour Office[1] to give effect to resolution 1988 (LX) of 11 May 1976 of the United Nations Economic and Social Council requesting specialized agencies to submit reports, in accordance with article 18 of the International Covenant on Economic, Social and Cultural Rights, on the progress made in achieving the observance of the provisions of the Covenant falling within the scope of their activities. According to these arrangements, the International Labour Office is entrusted with the task of communicating to the United Nations, for presentation to the Committee on Economic, Social and Cultural Rights, information on the results of the operation of various ILO supervisory procedures in the fields covered by the Covenant. It should remain open for the Committee of Experts on the Application of Conventions and Recommendations to report on particular situations whenever it deems this desirable or when specifically requested to do so by the Committee on Economic, Social and Cultural Rights.

2. This report will follow the approach adopted since 1985, and will contain: (a) indications concerning the principal ILO Conventions relevant to articles 6-10 and 13 of the Covenant; and (b) indications concerning ratification of these Conventions and comments made by ILO supervisory bodies with regard to the application of these Conventions by the States concerned (insofar as the points at issue appear to have a bearing also on the provisions of the Covenant). The latter indications are based mainly on the comments of the Committee of Experts resulting from its examination of the reports on the Conventions in question. Account was also taken of the conclusions and recommendations adopted under constitutional procedures for the examination of representations or complaints and, in the case of article 8 of the Covenant, of the conclusions and recommendations of the Committee on Freedom of Association of the ILO Governing Body following examination of complaints alleging violation of trade union rights. Given the increased recourse to the Joint ILO/UNESCO allegations procedure concerning teaching personnel, information on cases examined there are added under article 13 of the Covenant, when relevant to the country reports being examined.[2]

3. The list of countries for which information has been provided in the present report appears in the Contents. A recapitulatory list of States parties to the Covenant and of ILO reports containing information concerning them will be found in the Annex.

I. PRINCIPAL ILO CONVENTIONS RELEVANT TO ARTICLES 6-10 AND 13 OF THE COVENANT

4. The following is a list of the principal ILO Conventions relevant to articles 6-10 and 13 of the Covenant.[3] Indications on the ratification of these Conventions by each State concerned are given in section II (indications concerning the situation of individual countries).

Article 6 of the Covenant

Unemployment Convention, 1919 (No. 2)
Forced Labour Convention, 1930 (No. 29)
Fee-Charging Employment Agencies Convention, 1933 (No. 34)
Employment Service Convention, 1948 (No. 88)
Fee-Charging Employment Agencies Convention, 1949 (No. 96)

Abolition of Forced Labour Convention, 1957 (No. 105)
Indigenous and Tribal Populations Convention, 1957 (No. 107)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)
Employment Policy Convention, 1964 (No. 122)
Paid Educational Leave Convention, 1974 (No. 140)
Human Resources Development Convention, 1975 (No. 142)
Workers with Family Responsibilities Convention, 1981 (No. 156)
Termination of Employment Convention, 1982 (No. 158)
Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
Employment Promotion and Protection Against Unemployment Convention, 1988 (No. 168), Part II
Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Article 7 of the Covenant

Remuneration

Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)
Minimum Wage-Fixing Machinery (Agriculture) Convention, 1951 (No. 99)
Minimum Wage-Fixing Machinery Convention, 1970 (No. 131)

Equal remuneration

Equal Remuneration Convention, 1951 (No. 100)

Safe and healthy working conditions

White Lead (Painting) Convention, 1921 (No. 13)
Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)
Protection Against Accidents (Dockers) Convention, 1929 (No. 28)
Protection Against Accidents (Dockers) Convention, 1932 (No. 32)
Safety Provisions (Building) Convention, 1937 (No. 62)
Labour Inspection Convention, 1947 (No. 81)
Radiation Protection Convention, 1960 (No. 115)
Guarding of Machinery Convention, 1963 (No. 119)
Hygiene (Commerce and Offices) Convention, 1964 (No. 120)
Maximum Weight Convention, 1967 (No. 127)
Labour Inspection (Agriculture) Convention, 1969 (No. 129)
Benzene Convention, 1971 (No. 136)
Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)
Occupational Safety and Health Convention, 1981 (No. 155)
Occupational Health Services Convention, 1985 (No. 161)
Asbestos Convention, 1986 (No. 162)

Safety and Health in Construction Convention, 1988 (No. 167)
Chemicals Convention, 1990 (No. 170)
Night Work Convention, 1990 (No. 171)
Labour Inspection (Seafarers) Convention, 1996 (No. 178)

Rest, limitation of working hours and holidays with pay

Hours of Work (Industry) Convention, 1919 (No. 1)
Weekly Rest (Industry) Convention, 1921 (No. 14)
Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
Forty-Hour Week Convention, 1935 (No. 47)
Holidays with Pay Convention, 1936 (No. 52)
Holidays with Pay (Agriculture) Convention, 1957 (No. 101)
Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
Holidays with Pay Convention (Revised), 1970 (No. 132)
Part-time Work Convention, 1994 (No. 175)
Homework Convention, 1996 (No. 177)
Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No. 180)

Article 8 of the Covenant

Right of Association (Agriculture) Convention, 1921 (No. 11)
Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87)
Right to Organize and Collective Bargaining Convention, 1949 (No. 98)
Workers' Representatives Convention, 1971 (No. 135)
Rural Workers' Organizations Convention, 1975 (No. 141)
Labour Relations (Public Service) Convention, 1978 (No. 151)
Collective Bargaining Convention, 1981 (No. 154)

Article 9 of the Covenant

Workmen's Compensation (Agriculture) Convention, 1921 (No. 12)
Workmen's Compensation (Accidents) Convention, 1925 (No. 17)
Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)
Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)
Sickness Insurance (Industry) Convention, 1927 (No. 24)
Sickness Insurance (Agriculture) Convention, 1927 (No. 25)
Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35)
Old-Age Insurance (Agriculture) Convention, 1933 (No. 36)
Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)
Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)
Survivor's Insurance (Industry, etc.) Convention, 1933 (No. 39)
Survivor's Insurance (Agriculture) Convention, 1933 (No. 40)
Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42)
Unemployment Provisions Convention, 1934 (No. 44)
Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48)
Social Security (Minimum Standards) Convention, 1952 (No. 102)

Equality of Treatment (Social Security) Convention, 1962 (No. 118)
Employment Injury Benefits Convention, 1964 (No. 121)
Invalidity, Old-Age and Survivor's Benefits Convention, 1967 (No. 128)
Medical Care and Sickness Benefits Convention, 1969 (No. 130)
Maintenance of Social Security Rights Convention, 1982 (No. 157)
Employment Promotion and Protection Against Unemployment, 1988 (No. 168)

Article 10 of the Covenant

(a) Maternity protection (re. para. 2)

Maternity Protection Convention, 1919 (No. 3)
Maternity Protection Convention (Revised), 1952 (No. 103)
Maternity Protection Convention (Revised), 2000 (No. 183)

(b) Protection of children and young persons in relation to employment and work (re. para. 3)

Minimum Age (Industry) Convention, 1919 (No. 5)
Minimum Age (Sea) Convention, 1920 (No. 7)
Minimum Age (Agriculture) Convention, 1921 (No. 10)
Minimum Age (Trimmers and Stokers) Convention, 1921 (No. 15)
Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33)
Minimum Age (Sea) Convention (Revised), 1936 (No. 58)
Minimum Age (Industry) Convention (Revised), 1937 (No. 59)
Minimum Age (Non-Industrial Employment) Convention (Revised), 1937 (No. 60)
Minimum Age (Fisherman) Convention, 1959 (No. 112)
Social Policy (Basic Aims and Standards) Convention, 1952 (No. 117)
Minimum Age (Underground Work) Convention, 1965 (No. 123)
Minimum Age Convention, 1973 (No. 138)
Night Work of Young Persons (Industry) Convention, 1919 (No. 6)
Night Work (Bakeries) Convention, 1925 (No. 20)
Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79)
Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)
White Lead (Painting) Convention, 1921 (No. 13) (article 3)
Radiation Protection Convention, 1960 (No. 115) (article 7)
Maximum Weight Convention, 1967 (No. 127) (article 7)
Benzene Convention, 1971 (No. 136) (article 11)
Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)
Medical Examination (Seafarers) Convention, 1946 (No. 73)
Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)
Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)
Medical Examination (Fishermen) Convention, 1959 (No. 113)
Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)
Worst Forms of Child Labour Convention, 1999 (No. 182)

Article 13 of the Covenant

Human Resources Development Convention, 1975 (No. 142)

Reference is also made, when appropriate, to the ILO/UNESCO Joint Recommendation concerning the status of teachers, 1966, and to the work of the Joint ILO/UNESCO Committee which supervises their application.

II. INDICATIONS CONCERNING THE SITUATION OF INDIVIDUAL COUNTRIES

5. For each article of the Covenant under consideration, these indications show the state of the ratification of the corresponding Conventions by the country in question, and references to the relevant comments of the supervisory bodies with regard to the application of these Conventions. Full copies of the comments of the Committee of Experts are available at the secretariat (in English, French and Spanish) and should be consulted for further details.

6. The absence of any such reference signifies either that there are no comments at the present time regarding the application of a particular Convention, or that the comments that have been made deal with points not relating to the provisions of the Covenant or to matters (for example, simple requests for information) which it would not appear to be necessary to deal with at this stage, or again that the Government's reply concerning the application of a Convention on which comments had been made has not yet been examined by the Committee of Experts.

7. When references are made to the "observation" of the Committee of Experts, their texts are published in the report of the Committee for the same year (Report III (Part 1 A) of the corresponding session of the International Labour Conference). In addition, comments have been formulated in requests for information addressed directly by the Committee of Experts to the Governments in question; such comments are not published but the text is made available to the interested parties.

A. Benin

8. Information concerning Benin has not yet been supplied to the Committee.

9. The following relevant Conventions have been ratified and are in force for Benin (for full names see the list of Conventions in Part I above): 6, 11, 13, 14, 18, 26, 29, 87, 98, 100, 105, 111, 143 and 161. In 2001 Benin has ratified Conventions Nos. 81, 135, 138 and 182.

Article 6

10. In its 2001 observation on Convention No. 105, the Committee recalled the provisions of Act No. 60-12 of 30 June 1962 on the freedom of the press which provides for imprisonment involving compulsory labour for various acts or activities related to the exercise of the right of expression. The Committee had previously referred in this connection to the following provisions: section 8 (deposit of a publication with the authorities before its circulation to the public); section 12 (allowing a ban on publications of foreign origin in French or in the vernacular printed in or outside the country); section 20 (incitement to commit an act classified as an offence); section 23 (causing offence to the

Prime Minister); section 25 (publishing false reports); and sections 26 and 27 (slander and insults). The Committee had expressed the hope that the new Act on freedom of information, to which the Government had referred in its report, would be adopted promptly and would guarantee that no term of imprisonment involving compulsory labour could be imposed as a penalty for activities related to the exercise of the right of expression.

11. In this context, the Committee had noted the adoption of Act No. 97-010 of 20 August 1997, liberalizing audiovisual communications and establishing special penal provisions relating to offences in the area of the press and audiovisual communications, provided by the Government, and the Government's indication that the new Act did not repeal Act No. 60-12, but that in the event of conflicting provisions, those of Act No. 97-010 prevail. The Committee had observed that the provisions of the new Act did not eliminate the divergences between the national legislation and the Convention, since the scope of the new Act covered audiovisual communications but not "printing, sales of books and periodicals", which fall within the scope of Act No. 60-12 of 30 June 1960. The Committee had regretted that some provisions of the new Act were similar to those of Act No. 60-12. It noted that, under section 79 of Act No. 97-010, "any seditious shouts or chants against the lawfully established authorities in public places or meetings" are punishable by a sentence of imprisonment of from six months to two years, and that causing offence to the President of the Republic is punishable by imprisonment of from one to five years, under section 81; section 80 punishes by imprisonment of from two to five years any provocation of the public security forces aimed at distracting them from their duty of defending security and obeying the orders given by their chiefs for the enforcement of military laws and regulations. Section 67 of Decree No. 73-293 of 15 December 1973 establishing the prison regulations allows convicts to be assigned to social rehabilitation work. The Committee had asked the Government to take the necessary steps to ensure observance of the Convention and to provide all relevant information on the application in practice of the above-mentioned provisions of Acts Nos. 60-12 and 97-010, together with copies of any court decisions clarifying their scope.

12. The Committee noted that in its latest report the Government indicated that, in the second phase of the ILO's programme to support implementation of fundamental principles and rights at work, the texts to apply the fundamental Conventions, including Convention No. 105, are to be compiled and edited, and that the Committee's observations will be studied in this context with a view to harmonizing domestic law with the provisions of the Convention. The Committee hoped that the Government would be in a position to provide information in its next report on the measures taken to ensure that national law and practice are brought into line with the Convention.

13. In addition, the Committee recalled that under sections 215, 235 and 238 of the Merchant Shipping Code of 1968, certain breaches of discipline by seafarers were punishable by imprisonment involving compulsory labour. In its last report the Government stated that the draft Merchant Shipping Code had not yet been adopted. The Committee hoped that the new Code will ensure application of the Convention in this respect and asked the Government to provide a copy of it as soon as it is enacted.

14. The Committee also noted the comments on the application of the Convention made by the Confederation of Autonomous Trade Unions of Benin, dated 31 May 2000, which were forwarded by the Government. The trade union organizations stated that the requisition procedure, as set out in Ordinance No. 69-14, constitutes forced labour and that the provisions of this Ordinance are in breach of international and constitutional provisions concerning the right to strike. In its observations on the application of the Forced Labour Convention, 1930 (No. 29), the Committee had referred for many years

to the provisions of the above-mentioned Ordinance, which allow workers on strike to be requisitioned under penalty of imprisonment. The Committee noted with interest that, according to the Government's statement in its reports on Conventions Nos. 29 and 105, an Act on the exercise of the right to strike had just been adopted and would be promulgated by the President of the Republic very shortly. The new Act repeals all the provisions of Ordinance No. 69-14/MFPRAT of 19 June 1969.

15. In its 1999 observation on Convention No. 111, the Committee noted with interest that, under sections 4 and 5 of the Labour Code of 27 January 1998, employers are prohibited from taking into account the sex, age, race, ethnic origin or descent of workers (section 4), or the social origin, membership or non-membership in a trade union, trade union activity, origin or opinions, in particular religious and political opinions, of workers (section 5), in making decisions regarding recruitment and other labour conditions, including vocational training, career development, promotion, remuneration, provision of social benefits, or termination of the employment contract. It also noted that section 31 of the Code establishes that handicapped persons must not be subjected to discrimination in respect of employment. With reference to article 1, paragraph 1 (b), of the Convention, the Committee asked the Government whether it intends to add the criteria of age and disability to the prohibited forms of discrimination covered by the Convention in Benin. A report by the Government on Convention No. 111 has been received and will be examined by the Committee of Experts at its November-December 2002 session.

Article 7

Equal remuneration

16. In its 2000 direct request on Convention No. 100, the Committee noted the rise in the minimum inter-occupational guaranteed wage (SMIG), under the terms of Decree No. 2000-162 of 29 March 2000. It asked the Government to provide information on the workers who receive the minimum wage, the sectors in which they are employed and the proportion of men and women among these workers. The Committee also noted that the statistics on the distribution of men and women in the public service show identical rates to those provided in the previous report, namely between 26 and 27 per cent of women and between 73 and 74 per cent of men. The Committee noted the Government's statement that schooling for girls had been made free of charge in rural areas as a means of promoting their access to education and training. The Committee asked the Government to provide information on any other specific measures which have been taken or are envisaged to promote the access of women to all categories of jobs in the public service and in the private sector, as well as to jobs in branches of activity where their numbers are low.

Article 8 of the Covenant

17. In its 2000 observation on Convention No. 87, the Committee noted that under the 1998 Labour Code there is an obligation to deposit trade union statutes with the competent authorities, including the Ministry of the Interior, in order to obtain legal recognition, under penalty of a fine. The Committee reiterated that this obligation was more than a simple condition of public announcement and that the fine imposable can be CFAF 700 in recurrent cases, which could constitute a severe obstacle to the creation of a trade union. In this connection, the Committee recalled that under the terms of article 2 of the Convention workers and employers should have the right to establish organizations of their own

chc osing without previous authorization. The Committee therefore invited the Government to take the measures necessary to remove the requirement to deposit the statutes with the Ministry of the Interior on penalty of financial sanctions and thus bring the legislation into conformity with the Convention.

18. In the same observation, the Committee noted that section 2 of the Labour Code excludes seafarers from its application and stipulates that they are covered by the 1968 Merchant Marine Code. Noting that the Merchant Marine Code (Ordinance No. 38 PR/MTPTPT of June 1968) does not grant seafarers either the right to organize or the right to strike, which is an intrinsic corollary of trade union rights, and provides for sentences of imprisonment for breaches of labour discipline (sections 209, 211 and 215), the Committee again requested the Government to ensure that seafarers benefit from the guarantees of the Convention and to keep it informed of measures taken in this respect.

19. The Committee also recalled the need to amend section 8 of Ordinance No. 69-14 PR/MFPTRA of June 1969 concerning the exercise of the right to strike which allows prohibition of strikes in the private and public service where interruption of the service would harm the economy and the higher interests of the nation. It noted with interest that, under the terms of sections 1, 2 and 13 of the Bill concerning the exercise of the right to strike, civil servants, like other workers, have the right to strike and bargain collectively. The Committee noted that the Bill in question constitutes a step towards the application of the Convention with regard to the minimum service to be maintained in the event that a strike in strategic sectors would endanger the health or the safety of the whole or part of the population and provides for the repeal of Ordinance No. 69-14 PR/MFPTRA. The Committee noted that examination of this draft had been placed on the agenda of the May/June 2000 session of the National Assembly and hoped that it would be rapidly promulgated. However, it requested the Government to eliminate the obligation of employees and their organizations to indicate in the notice to the authorities required under section 7 of the Bill, the length of the strike. The Committee considered that this requirement amounts to restricting the right of workers' organizations to organize their administration and activities and to formulate their programmes.

20. The Committee of Experts furthermore addressed direct requests to the Government in 1998 on Convention No. 26, in 1999 on Convention No. 111, in 2000 on Convention No. 87, and in 2001 on Conventions Nos. 6, 13, 29, and 143.

B. Czech Republic

21. No information concerning the Czech Republic has been supplied to the Committee previously.

22. The following relevant Conventions have been ratified and are in force for the Czech Republic: 1, 5, 10, 11, 12, 13, 14, 17, 18, 19, 26, 27, 29, 37, 38, 39, 42, 77, 78, 87, 88, 90, 98, 99, 100, 102, 105, 111, 115, 120, 122, 123, 124, 130, 132, 135, 136, 140, 142, 148, 155, 159, 161, 167, 171 and 182.

Article 6

23. In its 2000 direct request on Convention No. 29 the Committee, once again, has noted that the contract on the basis of which the prisoner's work for private employers is to be performed has to be concluded between the prison administration and the third party concerned and that employers are bound by the same obligations in respect of the prisoner's health and safety as those which regulate

normal employment relationships. The Committee recalled that prisoners must not be hired to or placed at the disposal of private parties. It further considered that voluntary consent by the prisoner to working for a private employer is a necessary condition for such employment to be compatible with the explicit provision of *article 2, paragraph 2 (c)*. Also, the work must be performed in conditions which guarantee payment of normal wages and social security, etc. The Committee asked the Government to indicate how and when the person concerned is giving that free consent, and to give details on the guarantees and safeguards established in law and practice.

24. In its 2001 observation on Convention No. 111 the Committee took note of the detailed information contained in the Government's report concerning the application of Act No. 451 of 1991 (Screening Act) laying down certain political prerequisites for holding a range of jobs and occupations mainly in public institutions but also in the private sector. This Act had been the subject of representations under article 24 of the ILO Constitution on two separate occasions (November 1991 and June 1994). In the decisions of these Governing Body committees, the Government had been invited to repeal or modify the provisions in the Screening Act that were incompatible with the Convention. In this regard, the Committee recalled that the level of a certain post within a public or private organization might not be determinative as to whether political criteria can be applied in filling it and that what was required was a careful and objective consideration of the inherent requirements of a job on a case-by-case basis. It also recalled that the exclusions imposed on persons for past activities should be proportional to the inherent requirements of a particular job. The Committee noted that the Government had reiterated its intention not to extend the validity of the Act beyond 31 December 2000. It further noted that new legislation concerning the status of employees in the State administration is under preparation. The Committee requested the Government to confirm that the Screening Act had not been extended and it hoped that the new legislation envisaged would not contain provisions incompatible with the Convention.

25. The Committee noted with interest that Act No. 167/1999 amended Act No. 1/1991 on employment, and that a new section 1 had been introduced, which stipulates as prohibited grounds of discrimination in employment, race, colour, sex, sexual orientation, language, creed and religion, political and other opinion, membership and/or activities in political parties or political movements, national extraction, health condition, age, marital or family status or family responsibilities, except in cases where the law so provides or where there is a valid ground, vital for the performance of the job, inherent in prerequisites, requirements and nature of the job to be performed by the citizen concerned. The Government indicated that by moving the prohibition of discrimination from the preamble to section 1, it would be easier to enforce these provisions and to impose penalties in cases of its violation by employers. The Committee trusted that the Government would indicate the measures taken to ensure its application in practice, including statistical data of cases involving discrimination in employment and occupation.

26. The Committee also noted that new institutions had been created including a Council for Human Rights, with a section for combating racism, and an Inter-ministerial Commission for Romany Affairs. The Committee took note of the information supplied by the Government that a significant change in the State employment policy has taken place with the adoption of the National Employment Plan in May 1999, which will improve chances of job applicants belonging to vulnerable groups, including Roma job applicants. The Government indicated that it has taken a series of measures on the basis of this Plan, including employment promotion among the long-term unemployed, with emphasis on members of the Roma community and strengthening of legal and institutional tools and machinery

designed to combat discriminatory practices in the labour market. The Committee also noted that a special committee had been established in 1998 within the Ministry of Labour and Social Affairs to deal specifically with the problems of the Roma community and to improve their situation in the labour market.

27. The Committee stressed that the elimination of discrimination in employment and occupation, on all grounds, including national extraction, is critical to sustainable development, all the more so because of the re-emergence of signs of intolerance and racism in some countries. The Committee urged the Government to take measures to improve significantly the Roma's access to training, education on the same basis as others, as well as to employment and occupation, and to take steps to raise public awareness of the issue of racism in order to promote tolerance, respect and understanding between the Roma community and others in society. It hoped the Government would be able to report progress in positively addressing the serious problems facing Romas in the labour market and in society in general.

28. With reference to its previous comments concerning Act No. 216 of 10 July 1993, which amended the 1990 Higher Education Act, and required the holding of competitions for all jobs of higher education teachers, scientific workers and managers of educational and scientific higher education establishments, the Committee noted from the Government's report that this Act has been abolished and replaced by a new Act on higher education. The Committee however noted that the new Act, under section 77, provides that positions of teachers in public institutions of higher education are to be filled by competition. The Committee asked the Government to indicate whether the new competition procedure has eliminated political opinion as an element to consider in the selection of candidates.

29. Further to previous comments, the Committee requested the Government to provide information on the practical impact of the measures taken to promote equality between women and men in employment and occupation and to raise awareness of girls and young women about employment and training opportunities available to them beyond those considered "typically female" occupations.

30. The 2000 direct request on the Employment Policy Convention, 1964 (No. 122) - in absence of a report by the Government - repeated previous requests. The Government had stated that, following a period of relative stability, the rate of unemployment increased from 3.5 per cent to 4.3 per cent in 1997 owing to a marked slow-down in economic growth at the end of the period. According to the latest OECD forecasts, the unemployment rate would rise to 5.8 per cent in 1998. The Committee nevertheless had noted that, despite this recent deterioration, the employment situation continues to compare favourably with that of other European countries which are in a period of transition to a market economy and with the majority of Western European countries. The Government had emphasized that unemployment particularly affects certain groups of the economically active population, such as unskilled workers, young people with no work experience, the Roma ethnic minority and persons with disabilities. Moreover, levels of unemployment are highest in the regions of North Bohemia and North Moravia, which are undergoing industrial restructuring, and in mainly agricultural areas. The Government had stated that, in order to stem this rise in structural unemployment, it has adjusted its employment policy to strengthen measures targeting the most vulnerable regions and groups of workers. Emphasis is placed, in particular, on the development of infrastructure in the transport and service industries and the promotion of small- and medium-sized enterprises as sources of new employment opportunities, as well as on retraining, not only for jobseekers, but also as a preventative measure for workers whose jobs are at risk as a consequence of structural changes. The Committee had noted in this

respect that refocusing of active labour market policy measures appears to have resulted in a decrease in the number of beneficiaries during the period in question. The Committee invited the Government to provide in its next report any evaluation of the effectiveness of these measures in terms of placing those concerned in employment.

Article 7

Equal remuneration

31. In its 2001 observation on Convention No. 100, the Committee noted with interest that the Labour Code of 1965 was substantially amended in 2000 in order to bring it into conformity with the relevant European Union legislation and the Convention. Section 1 of the Labour Code prohibits discrimination against employees on the ground of sex, inter alia, and establishes that all employers shall ensure equal treatment of all employees as regards their working conditions, including pay and other considerations (emoluments) in cash or kind for their work.

32. The Committee also noted that Act No. 1/1992 on wages, remuneration for stand-by and average earnings, which governed remuneration in all spheres except for wages in "budgetary organizations" (i.e. organizations financed from the State budget), has been amended by Act No. 217/2000. Act No. 217/2000 also amends Act No. 143/1992 on pay, remuneration for stand-by in budgetary and certain other organizations and bodies. The Committee noted that this Act requires the payment of equal remuneration for men and women for work of equal value and that a job classification system will be used for determining the wages based on the same criteria for both men and women. The Committee also noted that the principle of equal pay is extended to all components of remuneration.

33. The Committee noted with interest the classifications provided in the law as to how work of the same or equal value is to be determined, and that the Act sets out the objective criteria to be used to appraise the same or comparable difficulty, responsibility, exertion, working conditions, work capacity and work performance of the employee.

Safe and healthy working conditions

34. In its 2000 observation on the Occupational Health and Safety Convention, 1981 (No. 155) the Committee noted with interest the Government's reply to its previous comments referring to earlier observations made by the Czech-Moravian Chamber of Trade Unions (CMKOS) essentially relating to the required measures for the formulation, implementation and periodic review of a coherent national policy on occupational safety, occupational health and the working environment. The Government indicated in its reply that the amendment to the Labour Code would probably enter into force on 1 January 2001, and that a copy would be sent to the Office when it is approved. It indicated that the amendments change in important ways the parts concerning safety and health at work.

35. The Committee noted with interest the information that the Czech Office for Safety at Work, an institution founded by the Ministry of Labour and Social Affairs, is currently working on the draft law on labour inspection. It also noted with interest the information that one of the priorities covered by the Ministry of Labour and Social Affairs strategy plan up to 2002 is safety and health at work. The Government's report indicated that in order to ensure the protection and improvement of the working environment it is vital to develop and implement a national plan.

Article 8

36. In its 2001 observation on Convention No. 11, the Committee recalled that paragraph 2 of Law No. 83 of 1990 as amended by Law No. 300 of 19 July 1990, guaranteed the right of association to all citizens, and that it had requested the Government to indicate if foreign agricultural workers legally residing in the country were also granted trade union rights. The Government indicated in its report that article 27 of the Charter of fundamental rights and freedoms (Constitutional Act No. 23/1991) provides that every person has the right to associate freely with others for the protection of their economic and social interests. Article 42, subsection 3 of the Charter states that the use of the term "citizen" in legislative provisions concerning fundamental rights and freedoms granted by the Charter applies to all persons, regardless of their citizenship. The Government indicated that as a constitutional act, the Charter has superiority over ordinary provisions, including Act No. 83/1990, which has become obsolete in its use of the term "citizen". In practice there had been no cases where the right to organize was denied on grounds of foreign nationality, as foreign workers are granted trade union rights. The Government also indicated that it had prepared a draft act on association ensuring the right to organize to all persons, which was, however, rejected by Parliament. The Committee noted with interest the Government's efforts to amend Act No. 83/1990 to ensure that the right to organize applies to all persons. Given that according to the Government's report, the use of the term "citizen" in the Act represents no particular obstacle in respect of the trade union rights of agricultural workers, the Committee will continue to pursue this matter under Convention No. 87.

Article 9

37. In its 1998 direct request on the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 18) the Committee noted the information provided by the Government in its first report. It noted with interest that under section 66 of Act No. 155/1995 respecting pensions insurance, persons who do not reside in the Czech Republic may now obtain pension payments abroad.

38. In a 2000 direct request on the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 43) the Committee noted the adoption of Decree No. 290/1995 establishing the schedule of occupational diseases. The Committee noted that the legislation gives a broad definition of the working environment at the origin of the occupational disease and, unlike the Convention, does not refer to trades, industries and processes. The Committee recalls in this connection that, by listing for each disease in the list the corresponding trades, industries and processes, the Convention seeks to release workers from the burden of proving that they have actually been exposed to the risk of the disease in question, which in some cases may be particularly difficult. In these circumstances, it asks the Government to provide detailed information on the application in practice of Decree No. 290/1995 and to indicate how this legislation enables effect to be given to the objectives pursued by the Convention, as recalled above.

39. The Committee of Experts furthermore addressed direct requests to the Government in 1998 on Conventions Nos. 5 and 120, in 1999 on Convention Nos. 1, 26, 99, in 2000 on Conventions Nos. 27, 130, 132 and 155, and in 2001 on Conventions Nos. 10, 17, 19, 77, 78, 87, 98, 100, 105, 124, 161 and 171.

C. Ireland

40. No information concerning Ireland has been supplied to the Committee previously.

41. The following relevant Conventions have been ratified and are in force for Ireland: 2, 6, 11, 12, 14, 16, 19, 26, 27, 29, 32, 44, 62, 73, 81, 87, 88, 96, 98, 99, 100, 102, 105, 111, 121, 122, 124, 132, 138, 142, 159, 177, 178 and 182.

Article 6

42. In its 2000 direct request on Convention No. 29 the Committee recalled observations made by the Scheme Workers Alliance (SWA) in communications dated 18 January, 14 May and 31 August 1999, as well as the observations made by the Amalgamated Transport and General Workers' Union in a communication dated 16 August 1999, concerning the application by Ireland of a number of ratified ILO Conventions, including Conventions Nos. 29 and 105. The unions provided detailed submissions expressing concern about the situation of the unemployed, the conditions under which payments are made under the Irish Employment Action Plan (EAP) and the limited availability of jobs, which were low paying and not necessarily suited to the skills and interest of the unemployed. The Government responded and denied breaches of Conventions Nos. 29 and 105, referring to developments in employment and labour market policy which were articulated in the EAP. The Government also referred to its commitment to implement the EU Employment Guidelines, as well as its preventative strategies concerning young unemployed.

43. In this regard, the Committee had come to the conclusion that the unions' allegations did not raise matters which fall within the scope of Convention No. 29. The problems of unemployment and the scarcity of work which may only be found in low-level positions so that persons perform work which they may not wish to do in order to maintain themselves, do not usually fall for consideration under the Convention. There have been occasions when such circumstances were considered to come under the Convention, such as cases where acquired rights under a contributory unemployment insurance scheme were subjected to new conditions bearing on the range of work to be accepted by benefit recipients; or where certain categories of welfare recipients, such as asylum-seekers, were denied by the authorities access to the general labour market, while being compelled to perform certain jobs under the menace of losing their only means of subsistence. In the present case, however, the issue appears to be rather one of general economic constraints.

44. The Committee, in this context, also recalled that the Governing Body committee set up to examine a representation concerning a comparable scheme in 1997, indicated the following: "In a case where an objective situation of economic constraint exists but has not been created by the Government, then only if the Government exploits such situation by offering an excessively low level of remuneration could it to some extent become answerable for a situation that it did not create. Moreover, it might be held responsible for organizing or exacerbating economic constraints if the number of people hired by the Government at excessively low rates of pay and the quantity of work done by such employees had a knock-on effect on the situation of other people, causing them to lose their normal jobs and face identical economic constraints." (GB.270/15/3, para. 30)

45. The observation of 1999 on Convention No. 105 noted with satisfaction that the Merchant Shipping (Miscellaneous Provisions) Act, 1998 (No. 20) had repealed section 225 of the Merchant Shipping Act, 1894, and amended section 221 of the same Act, which provided that certain disciplinary offences by seafarers were punishable with imprisonment (involving, under section 42 of the rules for the Government of Prisons, 1947, an obligation to work), and also repealed sections 222, 224 and 238 of the Merchant Shipping Act, under which seafarers absent without leave could be forcibly conveyed on board ship. The Committee noted the Government's indication in its report that the Rules for the Government of Prisons, 1947, had not yet been replaced by the proposed new rules, which are likely to be introduced in the first quarter of the year 2000.

Article 10

Protection of children and young persons in relation to employment and work

46. In its observation of 2000 on Convention No. 138, the Committee noted that the Government's report contains no reply to previous comments. It therefore repeated its previous observation, in which it had noted the adoption of the new Protection of Young Persons (Employment) Act, 1996. It had noted with interest that, under this Act, the minimum age for full-time work had been raised from 15 to 16 years of age.

47. In its direct request of 2000 on the same Convention the Committee hoped that the next report would include full information on the matters raised in its previous direct request. The Committee recalled that the Convention applies not only to work under an employment contract but to all types of work or employment. It also noted the Government's earlier indication concerning this point, that the Department of Labour had not been made aware of any specific cases arising with regard to persons working in a non-contractual nature. The Government also had stated that this point would be taken into consideration during the reviewing process of the Protection of Young Persons (Employment) Act. However, the new Act still does not cover self-employment. The Committee hoped that the Government would continue to indicate any further steps which may be taken to ensure the application of the minimum age to any type of work.

48. The Committee of Experts furthermore addressed direct requests to the Government in 1998 on Convention No. 26, in 1999 on Convention No. 121, in 2000 on Convention No. 159 and in 2001 on Conventions Nos. 16, 73, 81, 100, 122, 132 and 155.

D. United Kingdom

49. Information concerning the United Kingdom has been supplied previously to the Committee in 1978, 1981, 1985, 1991 and 1995.

50. The following relevant Conventions have been ratified and are in force for the United Kingdom (for full names see the list of Conventions in Part I above): 2, 11, 12, 16, 17, 19, 24, 25, 29, 32, 36, 37, 38, 39, 40, 42, 44, 81, 87, 98, 100, 102, 105, 111, 115, 120, 124, 135, 138, 140, 141, 142, 148, 151 and 182.

Article 6

51. In its 2001 observation on Convention No. 29, the Committee noted the Government's statement to the Conference Committee in 2000 that no prisoner in the United Kingdom - whether in a publicly run or privatized prison or workshop - was hired to, or placed at the disposal of, private individuals, companies or associations. The Government explained that while private sector companies might supervise the work on a day-to-day basis, the prisoner remained under the ultimate care and control of prison service officials; wages were paid to prisoners by the prison and not by the private company providing the work; and the Government considered that its present policies for the employment of prisoners conformed with the requirements of the Convention and were in the best interests of prisoners. These views were repeated in the Government's latest report on the Convention and rejected by the Trade Union Congress (TUC) in its co. ments on that report. With regard to the notions of "hiring to" and "placing at the disposal of" and their relationship with "public supervision and control" and the flow of payments among the various parties involved, the Committee referred to the explanations given in paragraphs 96 and 118-127 of its general report to the International Labour Conference in 2001 and in points 6 and 7 of its general observation on the Convention this year, confirming the concl sion that the exception from the scope of the Convention provided for in article 2 (2) (c) of the Convention for compulsory prison labour does not extend to privatized prisons and prison workshops - even under public supervision and control.

52. In its previous comments the Committee had recalled that, to be compatible with the Convention, work of prisoners for private companies .hus must depend on the freely given consent of the workers concerned. This requires, inter alia, the absence of any menace of a penalty or duress such as making work an element in assessing behaviour for the purposes of reduction of sentence. Moreover, in the context of a captive labour force having no alternative access to the free labour market, "free" consent to a form of employment going prima facie against the letter of the Convention needs to be authenticated by arm's length conditions of employment approximating a free labour relationship, such as the existence of a labour contract between the prisoner and the private company using his or her labour and free labour market-oriented conditions regarding wage levels, social security and safety and health.

53. The Committee had previously noted with interest the Government's indication in its 1999 report that there are a number of prisons which allow the release, on a daily basis, of prisoners in the last six months of their sentence to enable them to work. These prisoners are normally employed within a free labour relationship as a part of their rehabilitation and resettlement back into society. Prisoners who do work out are subject to normal requirements in respect of income tax and national insurance contributions from the wages they receive for their work. However, it should be noted that prisoners who work outside are released on temporary facility licence (under rule 9 (3) (b) of the Prison Rules, 1999) with the main or primary purpose of allowing them to undertake work for outside employers, and are working "in pursuance of prison rules". They are therefore excluded from the national minimum wage by virtue of section 45 of the National Minimum Wage Act, 1998. It is, nevertheless, prison service policy that such arrangements must not give an unfair competitive advantage to those who employ prisoners, and employers must not treat prisoners less favourably than other workers in comparable employment. It is expected, therefore, that prisoners who work for outside employers, doing a normal job, will be paid the appropriate rate for the job.

54. The Committee had hoped that prisoners who were thus released on a daily basis to work for outside employers, doing a normal job "within a free labour relationship", would benefit from general labour legislation, and that in view also of prison service policy regarding the payment of normal wages, the anomaly of their exclusion from the National Minimum Wage Act, 1998, would be resolved. The Government explained in its latest report that "prisoners are not covered by the National Minimum Wage Act because they do not constitute a 'worker' as defined by section 53 (3) of that Act in that they do not have a contract of employment or a contract for personal work or services". The Committee noted these explanations but recalled that it is precisely on these points that a change in law and practice appears desirable and feasible for outside employment in the light of the Government's indications in its 1999 report. Prisoners "employed within a free labour relationship" ought to have a contract of employment with the private enterprise using their services and labour legislation, including the minimum wage legislation, should be made applicable to such employment. The Committee hoped that measures would be taken to introduce the corresponding changes in law and practice.

55. In its report, the Government further stated that another relevant factor is that prisoners' accommodation, clothing, meals, etc., are provided by the prison service, without any costs to the prisoner. It was therefore likely that a prisoner undertaking outside employment and benefiting from the national minimum wage would, in practice, be at an advantage to a person outside prison doing the same work for the same wages, who would be expected to pay for his or her own accommodation, clothing and meals. Commenting on this, the TUC expressed surprise that the Government had failed to mention the Prisoner's Earnings Act, 1996, which addressed the matter of prisoners earning "enhanced wages" for work which is not "directed work" in pursuance of prison rules, and provides, inter alia, for deductions for such costs, for income tax and national insurance deductions, for attachments to earnings to support the prisoner's family or for victim support, and for savings to be used on release to aid social reintegration. Section 1 (3) of the Act specifically alludes to earnings paid otherwise than by the prison governor on behalf of the Secretary of State. In this connection, the Committee referred to paragraph 142 of its general report to the International Labour Conference in 2001, where it recalled that in the free labour market wages may, in the words of articles 8 and 10 of the Protection of Wages Convention, 1949 (No. 95), be subject to "deductions" and "be attached or assigned" under conditions and within limits prescribed by national laws or regulations. For prisoners employed by private enterprises, this implies that their wages may also be subject to deductions for board and lodging provided and "be attached or assigned" so as to satisfy compensation claims of victims as well as alimony or other obligations of the prisoners, both of which would be illusory if exploitative wage rates prevailed.

56. The Committee once more noted with regret that the necessary measures to ensure that any work by prisoners for private companies be performed under the conditions of a freely consented upon employment relationship and to a certain extent implemented in "outside employment" of prisoners with private employers - have so far not been taken with regard to prisoners working in contracted-out prisons and prison industries.

57. In its report the Government indicated, with regard to the work performed in contracted-out prisons or workshops in the United Kingdom, that all prisoners, whether they are in a public or privatized prison, and whatever work they may be involved in, remain under the ultimate supervision of the State in the United Kingdom. The Government also continued to be of the view that no prisoner is "hired" to a private company. Private companies do not pay the Prison Service to provide it with labour. Nor are prisoners placed "at the disposal" of a private company. Such a term implies private companies

being allowed to use prisoners for whatever purposes they wish, whereas the work that prisoners perform in contracted-out prisons or prison industries in the United Kingdom was specific and was comparable with that done by prisoners in public prisons, with the same audit baselines monitored by public authority. As regards "ultimate supervision" and "audit baselines" monitored by public authority, the TUC in its comments expressed the view that "ultimate supervision" did not amount to day-to-day supervision, which in contracted-out prisons was performed by employees of private companies and would not meet the requirements of the Convention. In this regard, the Committee, referring also to paragraphs 119 and 120 of its general report of last year, recalled that even where prisoners remain at all times under the supervision and control of a public authority, this does not in itself dispense the Government from fulfilling the other condition in article 2 (2) (c), namely that the person is not hired to or placed at the disposal of private individuals, companies or associations.

58. In its 2001 observation on Convention No. 105, the Committee recalled its comments on section 59 (1) of the Merchant Shipping Act, 1995 which provides that a seafarer who combines with other seafarers employed on the same ship at a time while the ship is at sea to disobey lawful commands, neglect any duty which is required to be discharged, or impede the progress of a voyage or the navigation of the ship, is liable, on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both. According to section 59 (2), a ship is treated as being at sea at any time when it is not securely moored in a safe berth. The Government stated in its 1997 report that section 59 is applicable to seafarers who withdraw their labour in furtherance of an industrial dispute. The Committee had noted from the Government's 1999 report that consultations took place with the shipping industry on whether or not section 59 should be repealed or amended so that it applied only to mutinies but not strikes, and it had been concluded that other parts of the Act and other legislation existed to deal effectively with actions arising from mutinies, if section 59 was repealed. The Government indicated in its latest report that, following consultation with the United Kingdom shipping industry, further negotiations were undertaken with some respondents to ascertain whether a compromise solution could be reached that would address concerns expressed. The Committee noted with interest that, as a result of these consultations, the decision was taken to seek to amend section 59, so that it is linked to actions which are not only committed while a ship is at sea, but also cause or could have caused loss or destruction of, or serious damage to, any ship or the death of or serious injury to any person (subsection (2) (i), (ii) and (iii) of the draft amendment to section 59). The Committee noted that the Government considers it necessary to undertake further consultation with the shipping industry. Noting also the Government's statement in the report that the amendment of section 59, as a part of United Kingdom primary legislation, requires the approval of Parliament, the Committee hoped that the proposed amendment would be adopted so as to bring the merchant shipping legislation into conformity with the Convention.

Article 7

Equal remuneration

59. In its 2001 observation on Convention No. 100, the Committee noted from the statistical information provided by the Government that in 1999 women's average hourly earnings (excluding overtime) amounted to 80.9 per cent of men's earnings in Great Britain, an increase of only 0.9 per cent from 1998, while women's average hourly earnings (excluding overtime) in Northern Ireland increased by 2.6 per cent to 86.9 per cent in 1999 compared with 1998. The Committee further noted from the Northern Ireland New Earnings Survey, April 1998 and 1999 that, among managers and administrators in

Northern Ireland, women workers earned 34.61 per cent less than men in 1998. In comparison, in 1999, women workers earned 34.14 per cent less than men. Among the professional categories women workers earned 13.96 per cent less than men in 1998 but this gap fell to 10.75 per cent in 1999.

60. The Committee noted the Government's statement that it intends to introduce changes to employment tribunal procedures to simplify and speed up equal pay claims. It noted that the Trades Union Congress (TUC) welcomed the Government's plans to change the tribunal procedures, but that it is of the opinion that these measures would not be enough to address the gender pay gap between men and women workers, stating that consideration should be given to placing a statutory duty on employers to review pay systems and pay structures and to publish the results, a concept which it has elaborated in its response to the EOC publication Equality in the 21st Century.

61. The Committee noted the adoption of a statutory minimum wage on 1 January 1999 by means of the National Minimum Wage Act 1998 and the National Minimum Wage Regulations 1999 (amended in 2000). It noted that the Act contains several sections dealing with enforcement and that promotional measures have been taken by the Government, such as publicizing the minimum wage, issuing guides and awareness-raising campaigns. The Committee noted with interest the Government's statement that, through the introduction of the minimum wage, an estimated 1.5 million workers have become entitled to higher pay and that about two-thirds of them are women workers.

62. With regard to the National Insurance Lower Earnings Limit (LEL), the Committee noted the Government's statement that the introduction of the national minimum wage has no direct implication for the LEL. The Committee noted the introduction of the primary threshold in April 2000 (£76 per week for 2000/01) as the wage level at which national insurance contributions are to be paid. It also noted that the introduction of the minimum wage has resulted in a worker who works just over 18 hours earning more that the LEL and that this measure, combined with the introduction of the primary threshold, results in those workers earning between the LEL and the primary threshold being treated as if they are paying contributions on their earnings to protect their benefit position. The Committee asked the Government to continue to provide information respecting the LEL and the primary threshold and their effects on the application of the principle of equal pay for work of equal value. The Committee noted the statistical information provided by the Government in the Labour Force Survey, Winter 1999, which shows that of all part-time workers 83.29 per cent were women, and that of all part-time workers, 54.77 per cent women part-time workers earned £66 per week or less, while 9.5 per cent of male workers earned this level of wages. In this respect, the Committee noted that section 19 of the Employment Relations Act, 1999, provides that regulations shall be issued to ensure that part-time workers are not treated less favourably than persons in full-time employment, and that section 20 envisages that codes of practice may be issued. The Committee understood that regulations had now been brought into force and requested that information be provided on their content and impact. The Committee reiterated the importance of tackling any indirect discrimination against part-time workers, the majority of whom are women.

Safe and healthy working conditions

63. In its 2001 observation on Convention No. 81, the Committee noted with interest the annual Department of Trade and Industry (DTI) report for 1999-2000 concerning monitoring of the 1999 regulations establishing for the first time a national minimum wage. Noting that a permit-based system had been established with regard to the employment of children below the

compulsory school-leaving age, that the employment of children in factories and on construction sites is prohibited and that there are additional specific regulations concerning the risks of exposure to ionizing radiations and hazardous substances in particular, the Committee asked the Government to indicate what steps had been taken to ensure that labour inspectors and other officials can effectively seek out and take action against hidden cases of illegal child labour.

64. In its 2001 observation on Convention No. 115, the Committee noted with interest the adoption of the Ionising Radiations Regulations No. 3232 of 1999 (IRR 99), which replace the Ionising Radiations Regulations of 1985, except for the regulation 26 on special hazard assessments. It further noted with interest the code of practice designed to give guidance on the above Regulations, which has been approved by the Safety and Health Commission (HSC) with the consent of the Minister of State for the Environment, Transport and the Regions and came into force on 1 January 2000. In this respect, the Government indicated that the Approved Code of Practice (ACOP) had a special legal status and may be relied upon in a court of law. With regard to regulations on work with ionizing radiation in Northern Ireland, the Committee noted the Government's indication that regulations equivalent to the Ionising Radiations Regulations No. 3232 of 1999 were presently in preparation. The Committee hoped that the revision of the Regulations on Ionizing Radiations 273/1985 (Northern Ireland) would be accomplished in the near future in order to guarantee equivalent levels of protection in the whole country.

65. The Committee noted that, by virtue of Regulation 19, paragraph 2 (c) of the IRR 99, in conjunction with its paragraph 3, young persons below the age of 18 years are precluded from employment for work involving harmful exposure to radiation, except where it is: (i) necessary for training; (ii) the young person will be supervised by a competent person; and (iii) any risk will be reduced to the lowest level that is reasonable and practicable. It further noted that Regulation 11, paragraph 1 of the IRR 99, in conjunction with paragraph 3, of Schedule 4, Part I, to Regulation 11, fixes the dose limits of exposure to ionizing radiations for trainees aged under 18 years at 6 mSv per year. However, with regard to possible exposure to ionizing radiations, the Committee recalled that article 7 of the Convention distinguishes between young persons under the age of 18 years (article 7, paragraph 1 (b)) and workers under the age of 16 (article 7, paragraph 2). According to article 7, paragraph 1 (b), of the Convention read in the light of the explanations given in paragraphs 4.1.5 and 4.3.1 (b) of the ILO code of practice on radiation protection of workers (ionizing radiation), the dose limit of exposure to ionizing radiations for young persons under 18 years of age is three tenths of the dose limits established for radiation workers, thus 6 mSv per year. While article 7, paragraph 2, of the Convention provides for a general interdiction to engage young persons under the age of 16 in work involving exposure to ionizing radiations, the above dose limit applies only to young persons between the age of 16 and 18. In its report, the Government believed that the protection provided by IRR 99 and MHSWR 99 is sufficient to provide adequate protection for young persons under the age of 16. The Government however recognized that the actual legislation in force did not provide a complete interdiction to engage workers under the age of 16 in work involving ionizing radiations as required by the Convention. The Government would therefore reconsider its position and consult with the social partners on the question of a general interdiction. The Committee, taking due note of this information, urged the Government to take appropriate action, in consultation with the social partners, towards the incorporation of a general interdiction to engage workers under the age of 16 in radiation work into national legislation, in conformity with this article of the Convention.

Article 8

66. In an observation of 2000 on Convention No. 87, the Committee noted information provided in the Government's report, as well as the observations made by the TUC and the mainly public sector trade union UNISON. The Committee first noted with interest the introduction in 1999 of the Employment Relations Act (ERA) which will amend a certain number of provisions of the 1992 Trade Union and Labour Relations (Consolidation) Act upon which the Committee had been commenting for a number of years. In particular, the Committee noted with satisfaction the abolition of the Commissioner for the Rights of Trade Union Members (CRTUM) and of the Commissioner for Protection Against Unlawful Industrial Action (CPAUIA) under section 28 of the ERA which came into force on 25 October 1999. The Committee further noted from section 4 and Schedule 3 of the 1999 Act that the purpose of ballot notice had now been restricted to providing information to help the employer to make plans and bring information to the attention of those of his or her employees concerned, and that it is specifically provided that unions are not required to name the employees concerned when giving ballot notice. Furthermore, the Committee noted with interest the indication in the Government's report that a revised Code of Practice on Industrial Action Ballots and Notice to Employers had been issued for consultation in April 2000 reflecting these changes and that the revised Code and the relevant parts of the 1999 Act were expected to come into force on 18 September 2000.

67. The Committee recalled that its previous comments concerned sections 64-67 of the 1992 Act which prevented trade unions from disciplining their members who refused to participate in lawful strikes and other industrial action or who sought to persuade fellow members to refuse to participate in such action. The Committee once again noted that unions should have the right to draw up their rules and to formulate their programmes without the interference of the public authorities which should restrict or impede the exercise of freedom of association and so to determine whether or not it should be possible to discipline members who refuse to comply with democratic decisions to take lawful industrial action. It requested the Government to continue to keep it informed of any developments in respect of these provisions.

68. The Committee also recalled that its previous comments regarding the absence of immunities in respect of civil liability when undertaking sympathy strikes. It noted the Government's indication that no changes had been made in this respect. The Committee once again noted that workers should be able to take industrial action in relation to matters which affect them even though, in certain cases, the direct employer may not be party to the dispute. The Committee reiterated that workers should be able to participate in sympathy strikes provided the initial strike they are supporting is itself lawful.

69. In its 2001 observations on Convention No. 98, the Committee recalled its concerns with respect to insufficient protection for workers against anti-union discrimination, with such lack of protection having harmful implications concerning the promotion of collective bargaining. The Committee had in particular requested the Government to review and further amend section 146 of the Trade Union and Labour Relations (Consolidation) Act, 1992 (TULRA), and section 13 of the Trade Union Reform and Employment Rights Act, 1993 (TURER) (amending section 148 of TULRA).

70. The Committee had previously noted with interest that section 146 (l) (a) of the TULRA had been amended by virtue of the Employment Relations Act, 1999, thus making it unlawful to subject an employee to detriment short of dismissal by omission, and not only in cases of a positive action, due to trade union membership or activities. The Committee noted the Government's statement that prior to

this amendment, discrimination by omission on the grounds of trade union membership was not prohibited. The Committee noted, however, that the amendment did not address the judicial interpretation whereby the protection of discrimination on the basis of trade union membership under section 146 (l) (a) was found not to include protection for making use of the essential services of the union (e.g. collective bargaining). The Committee therefore once again requested the Government to indicate in its next report any steps taken to review and further amend section 146 of TULRA.

71. With respect to TURER, section 13, the Committee had previously noted that this provision provided for protection against action short of dismissal on grounds related to union membership or activities. The Committee had noted, however, that the provision allowed an employer wilfully to discriminate on anti-union grounds, as long as another purpose was to further a change in the relationship with all or any class of employees and had considered that such a provision could be considered as tantamount to condoning anti-union discrimination. The Government indicated that it is of the opinion that, in the United Kingdom's long standing "voluntarist" system of industrial relations, employers should be free to seek to change their bargaining arrangements and the law allows them to do so. The Government added that section 17 of the Employment Relations Act contains provisions to deal with situations where employers coerce workers to opt out of agreements and provides protection against dismissal or detriment where workers refuse to opt out of a collective agreement, which applies to them. In this respect, first of all, the Committee recalled that the Government has an obligation under the Convention to provide for protection against anti-union discrimination and to promote collective bargaining; however, current legislation allows employers to offer financial inducements to employees to sign personal contracts even though they may be performing identical work as those who refuse to sign, thereby discriminating against the latter. Moreover, while the Employment Relations Act states that the Secretary of State may make regulations concerning cases where a worker is subjected to detriment by the employer or dismissed on the grounds that the worker refuses to enter into a contract that includes terms which differ from the terms of a collective agreement which apply to that worker, the Committee noted the Government's statement that no date for introducing such regulations had been set. In these circumstances, the Committee once again requested the Government to take steps to review and amend TURER, section 13.

Article 9

72. In its 2000 observation on the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Committee of Experts recalled that under national legislation, firstly, victims of occupational injuries are not required to share in the costs of prescribed pharmaceutical products when they are in a hospital or when their revenues are beneath a certain limit and, secondly, many categories of insured persons are exempt from cost sharing in respect of pharmaceutical products, irrespective of their level of income. The Committee reminded the Government that any provision providing for a contribution by the victim of an occupational accident in the cost of prescribed pharmaceutical products is counter to article 9 of the Convention. The Committee reiterated that the Government, in order to ensure full implementation of the Convention, should include all victims of occupational accidents, irrespective of their income level, within the category of insured persons exempt from cost sharing such that pharmaceutical assistance dispensed outside hospital is provided free of charge to all victims of industrial accidents.

73. In its 2000 observation on the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), the Committee of Experts reiterated the need to supplement the list of prescribed occupational diseases so as to conform with the Convention in regard to poisoning by the halogen derivatives of hydrocarbons of the aliphatic series, disorders due to ionizing radiation and anthrax infection.

74. In its 2000 observation on the Unemployment Provision Convention, 1934 (No. 44), the Committee recalled that it had noted previously that the rule by which a person could be disqualified from receiving unemployment benefit for having refused "suitable employment" (a concept to which *article 10, paragraph 1,* of the Convention refers) was replaced by the apparently more restrictive concept of disqualifying a person for refusing employment notified by the employment service "without good cause", which was carried forward into the jobseekers' legislation (section 19 (6) (c) of the Jobseekers Act 1995). In view of the fact that unemployed persons are authorized during a limited period of 1-13 weeks to refuse to seek or accept any employment which does not correspond to their usual occupation and for which the level of remuneration is lower than they are accustomed to receiving (section 6 (5) of the Act and Regulation 16 of the Jobseeker's Allowance Regulations 1996), the Committee had expressed the hope that the Government would indicate the measures taken or contemplated to ensure that unemployment benefit is paid at least during the minimum period of 78 working days per year (13 weeks), in accordance with *articles 10 and 11* of the Convention.

75. Having examined the Government's most recent report, the Committee observed that, in relation to the notion of "suitable employment", the possibility, under the permitted period of up to 13 weeks provided for in Regulation 16 of the Jobseeker's Allowance Regulations 1996 for a jobseeker to restrict his availability for employment to his "usual occupation" with the same level of remuneration, ensures during this period a sufficient degree of protection to the person concerned. The criteria taken into consideration under Regulation 16 (2) in the determination by an adjudication officer of the duration of the permitted period are in line with those normally used in assessing the suitability of employment. Moreover, after the permitted period and until the expiration of six months from the date of claim, jobseekers may also restrict their availability for employment by placing restrictions in particular on the level of remuneration, provided they can show that they have reasonable prospects for securing employment notwithstanding those restrictions (Regulations 8 and 9). The Committee noted however that the decisions concerning the duration of the permitted period, as well as the employability of a jobseeker in the light of the restrictions made, are placed under the responsibility of adjudication officers, who thus have broad discretion. It requested information on whether any guidelines have been drawn up for the adjudication officers since the entry into force of the jobseekers' legislation on the above-mentioned matters (availability for employment).

76. The Committee of Experts furthermore addressed direct requests to the Government in 1999 on Conventions Nos. 142, 148 and 151, in 2000 on Conventions Nos. 42, 44 and 87, and in 2001 on Conventions Nos. 24, 29, 98, 122, 105, 115 and 124.

E. United Kingdom (Non-Metropolitan Territories)

77. Information concerning the Non-Metropolitan Territories of the United Kingdom has been supplied previously to the Committee in 1979, 1982, 1985 and 1996. The present report contains information concerning the following territories: Bermuda, British Virgin Islands, Falkland Islands (Malvinas), Gibraltar and Montserrat.

Bermuda

Article 9

78. In its 1999 direct request on the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Committee noted that the Government again had indicated that a complete revision of the Workmen's Compensation Act was anticipated soon and that the legislation would deal with the points covered by article 5 of the Convention. It trusted that the Government would take all the necessary measures to undertake revision of the Workmen's Compensation Act, thereby giving effect to this provision of the Convention which provides that the compensation payable to the injured workman, or his dependants, where permanent incapacity or death results from the injury, shall be paid in the form of periodical payments; provided that it may be wholly or partially paid in a lump sum, if the competent authority is satisfied that it will be properly used.

Article 10

Protection of children and young persons in relation to employment and work

79. In its 1998 direct request on the Minimum Age (Industry) Convention (Revised), 1937 (No. 59), the Committee recalled the need to revise section 6 (2) (b) and (c) of the Employment of Children and Young Persons Act so as to limit the exceptions provided thereunder to the cases allowed by articles 2 and 3 of the Convention (employment - under certain circumstances - of children under the age of 15 in undertakings in which only members of the employer's family are employed and work done in technical schools).

80. The Committee of Experts furthermore addressed a direct request to the Government in 2000 on Convention No. 115, and in 2001 on Convention No. 10.

British Virgin Islands

81. The Committee of Experts addressed direct requests to the Government in 1998 on Convention No. 26, in 1999 on Convention No. 59, in 2000 on Convention No. 17 and in 2001 on Convention No. 10.

Falkland Islands (Malvinas)

Article 9

82. In its 1999 direct request on the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Committee noted that the Executive Council of the Falkland Islands (Malvinas) did not consider changing the present system of compensation paid in a lump sum in the event of permanent disablement or death of workers to be justified, on the one hand, because of the small number of potential beneficiaries and, on the other hand, of the administrative burden that such a change would imply. The Committee hoped that the Government would be able to reconsider the question and that in a

future revision of the legislation it would not fail to take the necessary measures so that, in conformity with this provision of the Convention, the compensation payable in the event of permanent incapacity or death, shall be paid in the form of periodical payments.

83. The Committee of Experts furthermore addressed direct requests to the Government in 1998 on Convention No. 59 and in 2001 on Convention No. 10.

Gibraltar

Article 9

84. In its 2000 observation on Convention No. 42, the Committee noted the Government's indication that it envisages taking the necessary measures to amend the schedule of occupational diseases annexed to the Employment Injuries Insurance (Occupational Diseases) (Amendment) Regulations to bring them into conformity with the Convention.

85. The Committee of Experts furthermore addressed direct requests to the Government in 1997 on Convention 135, in 1999 on Conventions Nos. 59 and 142, and in 2001 on Conventions Nos. 29 and 100.

Montserrat

86. The Committee addressed direct requests to the Governments in 1996 on Convention No. 19 and in 1998 on Conventions Nos. 26 and 59.

D. Trinidad and Tobago

87. Information concerning Trinidad and Tobago has been supplied previously to the Committee in 1989.

88. The following relevant Conventions have been ratified and are in force for Trinidad and Tobago (for full names see the list of Conventions in Part I above): 1, 16, 19, 29, 87, 98, 100, 105, 111 and 159.

Article 6

89. In its 2000 direct request on Convention No. 29, the Committee recalled that under section 11 (2) of the Defence Act, 1962, which corresponds to section 19 (2) of the Defence Act, Chapter 14.01, a person below the age of 18 years may be enlisted with the consent of his parents or of the person in whose care he may be, no minimum age being fixed for such enlistment. It requested the Government to give consideration to amending section 19 (2) of the Defence Act, Chapter 14.01, so as to either fix the legal minimum age of enlistment at 18, or allow a person enlisted below the age of 18 to leave the service by his own decision upon attaining the age of 18.

90. In its 2001 observation on Convention No. 105, the Committee recalled that sections 157 and 158 of the Shipping Act, 1987 provide for imprisonment - involving compulsory labour under the Prisons Rules - in cases of disobedience, desertion and absence without leave; and

section 162, empowering forcible return on board ship of seafarers in desertion. Referring to paragraphs 110 and 117 of its 1979 General Survey on the abolition of forced labour, the Committee had previously pointed out that these provisions are incompatible with the Convention, insofar as they imply not only sanctions including compulsory work but also legal compulsion in the form of direct physical constraint or the menace of a penalty for participation in strikes or breaches of labour discipline or to ensure performance of services by workers. The Committee has noted the Government's indications in its reports of 2000 and 2001 that the revision of the Shipping Act is currently under way and all these issues are being considered in the process. It reiterated firm hope that the revising text would be adopted in the near future and that the legislation will be brought into conformity with the Convention.

91. The Committee had previously referred to section 8 (1) of the Trade Disputes and Protection of Property Ordinance, which lays down penalties involving compulsory labour for breach of contract by persons employed in certain public services and is not limited in this respect to services whose interruption might endanger the life, personal safety or health of the whole or part of the population. The Committee has noted the Government's statements in its reports of 2000 and 2001 that this legislation would be repealed soon, since it is "colonial" legislation and is not in practice in Trinidad and Tobago. It hoped that the Government would take the necessary measures in order to ensure compliance with the Convention on this point.

92. The Committee also recalled its previous comments on section 69 (1) (d) and (2) of the Industrial Relations Act, Chapter 88.01, which prohibits teachers from taking part in a strike, subject to penalties of imprisonment involving an obligation to work. The Government had indicated in its reports of 2000 and 2001 that the committee responsible for reviewing the Act has made no recommendation in respect of that issue. The Committee reiterated firm hope that the necessary measures will be taken in the near future in order to bring the above-mentioned provisions of the Industrial Relations Act into conformity with the Convention.

93. In its 2001 observation on Convention No. 111, the Committee noted with interest the adoption of the Equal Employment Act, 2000, which prohibits discrimination on the basis of sex, race, ethnicity, origin, religion, marital status or disability in relation to employment, education, the provision of goods and services, as well as accommodation. The Committee noted that discrimination in employment as defined by the Act includes discrimination as regards recruitment, hiring, terms and conditions of employment, promotion, transfer and training, access to facilities or services associated with employment or any other benefit, vocational training, as well as dismissal or subjecting a person to any other detriment. The Committee also noted that the Act establishes an Equal Opportunity Commission and an Equal Opportunity Tribunal. Referring to previous comments noting the lack of legislative protection, the Committee welcomed the adoption of the new Act. It noted, however, that political opinion is not mentioned as one of the prohibited grounds. It requested the Government to indicate the reasons for this omission, as well as the manner in which discrimination on grounds of political opinion is prohibited in employment in practice and hoped that the Government would consider amending the Act, bringing it fully in line with article 1 (l) (a) of the Convention.

Article 7

Equal remuneration

94. In its 2000 direct request on Convention No. 100, the Committee noted with interest the recent adoption of the Equal Opportunity (No. 2) Act, 2000, which expressly prohibits discrimination in employment and promotes equality of opportunity. While noting that this prohibition appears to be sufficiently broad to cover the elements of remuneration set out in the Convention, in the absence of a specific provision relating to equal pay for work of equal value, the Committee asked the Government to indicate the manner in which the principle of equal remuneration for men and women for work of equal value is to be applied in practice. The Committee noted also that certain sectors of activity and groups of workers are excluded from the application of the Act including, among others, sports, clubs, voluntary bodies, non-profit organizations and religious bodies (Part V, Non-application of the Act) and domestic workers (art. 13 (1)). In this context, the Committee also drew the attention of the Government to part-time workers, who, although covered by the new Act, are excluded from the application of other legislative provisions. The Committee asked the Government to provide information indicating the manner in which these workers will be protected under the Convention. The Committee also called upon the Government to eliminate any wage discrepancies between men and women that exist in collective agreements.

Article 8

95. In its 2000 observation on Convention No. 87, the Committee commented on various sections of the Industrial Relations Act, 1972. As concerns the prohibition under section 67 of industrial action in essential services, the Committee noted the inclusion of sanitation services and a public school bus service in the list of essential services in schedule 2 and considered that such services could not be considered to be essential in the strict sense of the term. In this respect, the Committee drew the Government's attention to paragraph 160 of its 1994 General Survey on freedom of association and collective bargaining wherein it states that, in order to avoid damages which are irreversible or out of all proportion to the occupational interests of the parties to the dispute, as well as damages to third parties, the authorities could establish a system of minimum service in other services which are of public utility rather than impose an outright ban on strikes, which would be limited to essential services in the strict sense of the term. Noting further that section 69 appears to prohibit the teaching service and employees of the Central Bank from taking industrial action, under penalty of 18 months' imprisonment, the Committee requested the Government to indicate whether these restrictions were still in force and, if so, to take the necessary measures to repeal them so that teachers and bank employees are not prohibited from undertaking industrial action. As concerns the Minister's power under section 61 of the above-mentioned Act to refer a dispute to the Court and, under section 65, in cases where the national interest is threatened or affected, the Committee considered that such powers should be limited to essential services in the strict sense of the term, as indicated above, to public servants exercising authority in the name of the State and to cases of acute national crisis.

96. In its 2001 observation on Convention No. 98, the Committee requested the Government to amend legislation that affords a privileged position to registered associations, without providing objective and pre-established criteria for determining the most representative association (section 24 (3) of the Civil Service Act, sections 26 and 28 of the Prison Service Act).

97. The Committee also recalled the need to amend section 34 of the Industrial Relations Act, Chapter 88:01, in order to allow a union whose members constitute the largest number of workers in a bargaining unit, even if it is unable to reach a membership of 50 per cent of the workers in that bargaining unit, to negotiate collectively employment conditions. The Committee noted the Government's statement to the effect that the tripartite committee established to amend the Industrial Relations Act considered that this provision should not be amended based on the belief that multiple bargaining agents would create industrial conflict in view of the culture of the country. No recommendation had therefore been made to change the existing law in this regard. In this respect, the Committee emphasized that, where there is a single trade union in a bargaining unit with less than the absolute majority, this type of conflict cannot arise, and where various minority unions exist, their joint participation in the bargaining process could be arranged in an equitable manner or it could be envisaged that collective agreements apply only to the members of the respective trade union. The Committee recalled once again that the requirement that a union obtain the support of an absolute majority of the workers in the bargaining unit to be granted bargaining rights means that there is a risk in practice in many cases that workers will be deprived of the benefits of collective bargaining. The Committee therefore requested the Government to take the necessary measures to ensure that this provision is amended so that, where no union represents an absolute majority of workers, the union which represents a relative majority of workers in the bargaining unit can carry out negotiations to conclude a collective agreement, at least on behalf of its own members.

98. The Committee of Experts furthermore addressed a direct request to the Government in 1999 on Convention No. 19, and in 2001 on Conventions Nos. 16 and 111.

Notes

[1] Decisions of the Governing Body at its 201st session (November 1976) and at its 236th session (May 1987).

[2] Information on the procedures and machinery for the implementation of ILO standards, including the operation of its supervisory bodies, can be found in United Nations Action in the Field of Human Rights (United Nations publication, Sales No. E.94.XIV.11), chap. II, sect. C.1. Further information can be found on the ILO's Internet web site at www.ilo.org.

[3] There are, in addition, particularly for articles 7 and 9, a number of Conventions dealing with corresponding matters in particular occupational sectors (e.g. road transport, seafarers, fishermen, dock workers, plantation workers, nursing personnel) or with particular categories of workers (e.g. migrant workers, workers in non-metropolitan territories). These Conventions are not included in the present list but are taken into account in the indications concerning the situation in individual countries.

Annex

Index of countries and of relevant information supplied by the ILO since 1978

Country	Document reference
Afghanistan	E/1986/60 E/1989/6 E/1990/9 E/1991/4
Algeria	E/1995/127 E/C.12/2001/SA/1
Argentina	E/1995/5 E/C.12/1999/SA/1
Armenia	E/C.12/1999/SA/1
Australia	E/1979/33 E/1981/41 E/1985/63 E/1986/60
Austria	E/1981/41 E/1987/59 E/1988/6 E/1995/5
Azerbaijan	E/1997/55
Barbados	E/1982/41
Belarus	E/1979/33 E/1981/41 E/1985/63 E/1987/59 E/1996/98
Belgium	E/1994/63
Bulgaria	E/1983/40 E/1980/35 E/1985/63 E/1988/6 E/1998/17 E/C.12/1999/SA/1

Country	Document
Cameroon	E/1998/6
Canada	E/1982/41 E/1988/6 E/1989/6 E/1994/5 E/1998/17
Central African Republic	E/1997/55
Chile	E/1979/33 E/1981/41 E/1985/63 E/1988/6
Colombia	E/1979/33 E/1985/63 E/1990/9 E/1995/127
Costa Rica	E/1990/9 E/1991/4
Croatia	E/C.12/2001/SA/1
Cyprus	E/1979/33 E/1981/41 E/1985/63 E/1986/60 E/1989/6
Czech and Slovak Federal Republic	E/1979/33 E/1981/41 E/1986/60 E/1987/59
Czech Republic	E/C.12/2001/SA/1
Denmark	E/1979/33 E/1981/41 E/1985/63 E/1987/59 E/1998/17

Country	Document
Dominican Republic	E/1990/9 E/1991/4 E/1995/127 E/1996/98
Ecuador	E/1978/27 E/1985/63 E/1990/90 E/1991/4
Egypt	E/C.12/2000/SA/1
El Salvador	E/1995/127 E/1996/40
Finland	E/1979/33 E/1981/41 E/1985/63 E/1986/60 E/1996/98
France	E/1986/60 E/1989/6 E/C.12/2001/SA/1
Georgia	E/C.12/2000/SA/1
German Democratic Republic	E/1978/27 E/1981/41 E/1985/63 E/1987/59
Germany, Federal Republic of	E/1979/33 E/1981/41 E/1986/60 E/1987/59
Guatemala	E/1995/127 E/1996/40
Guinea	E/1996/40
Guyana	E/1995/127 E/1997/55

Country	Document
Honduras	E/1996/98
Hungary	E/1978/27 E/1985/63 E/1986/60
Iceland	E/1994/5 E/1998/17
India	E/1986/60
Iran (Islamic Republic of)	E/1978/27 E/1994/5
Iraq	E/1981/41 E/1985/63 E/1986/60 E/1997/55
Ireland	E/C.12/2001/SA/1
Israel	E/1998/17
Italy	E/1982/41 E/C.12/2000/SA/1
Jamaica	E/1980/35 E/1989/6 E/C.12/2001/SA/1
Japan	E/1985/63 E/1987/59
Jordan	E/1987/59 E/C.12/2000/SA/1
Kenya	E/1994/63
Libyan Arab Jamahiriya	E/1996/98 E/1997/55
Luxembourg	E/1990/9

Country	Document
Madagascar	E/1981/41 E/1985/63 E/1986/60
Mauritius	E/1995/127
Mexico	E/1985/63 E/1990/9 E/1994/5 E/C.12/1999/SA/1
Mongolia	E/1978/27 E/1981/41 E/1985/63 E/1987/59
Morocco	E/1994/63
Netherlands	E/1989/6 E/1998/17
Netherlands (Antilles)	E/1987/59 E/1998/17
Netherlands (Aruba)	E/1998/17
New Zealand	E/1994/5
Nicaragua	E/1986/60 E/1994/5
Nigeria	E/1997/55 E/1998/17
Norway	E/1979/33 E/1981/41 E/1985/63 E/1988/6 E/1995/127

Country	Document
Panama	E/1981/41 E/1988/6 E/1989/6 E/1990/9 E/1991/4 E/1992/4
Paraguay	E/1995/127 E/1996/40
Peru	E/1985/63 E/1995/127
Philippines	E/1978/27 E/1985/63
Poland	E/1979/33 E/1981/41 E/1986/60 E/1987/59 E/1989/6 E/1998/17
Portugal	E/C.12/2000/SA/1
Portugal (Macau)	E/1996/98
Romania	E/1979/33 E/1981/41 E/1985/63 E/1988/6
Russian Federation	E/1997/55
Rwanda	E/1985/63 E/1986/60 E/1989/6
Saint Vincent and the Grenadines	E/1997/55
Senegal	E/1981/41 E/1994/5
Solomon Islands	E/1998/17

Country	Document
Spain	E/1980/35 E/1982/41 E/1985/63 E/1986/60 E/1996/40
Sri Lanka	E/1998/17
Suriname	E/1995/5
Sweden	E/1978/27 E/1981/41 E/1985/63 E/1987/59
Syrian Arab Republic	E/1980/35 E/1981/41 E/1990/9 E/1992/4
Trinidad and Tobago	E/1989/6
Tunisia	E/1978/27 E/1988/6 E/1989/6 E/1998/17
Ukraine	E/1995/127
Ukrainian SSR	E/1979/33 E/1982/41 E/1985/63 E/1986/60
United Kingdom of Great Britain and Northern Ireland	E/1978/27 E/1981/41 E/1985/63 E/1991/4 E/1995/5 E/1997/55
United Kingdom (Hong Kong)	E/1996/98

Country	Document
United Kingdom (Non-metropolitan territories)	E/1979/33 E/1982/41 E/1985/63 E/1996/98
United Republic of Tanzania	E/1981/41
Uruguay	E/1994/5 E/1994/63
USSR	E/1979/33 E/1981/41 E/1985/63 E/1987/59
Venezuela	E/1985/63 E/1986/60
Viet Nam	E/1994/5
Yemen	E/1990/9 E/1991/4
Yugoslavia	E/1983/40 E/1985/63
Zaire	E/1988/6
Zambia	E/1986/60
Zimbabwe	E/1997/55